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10/663,562	09/16/2003	Nina Rautonen	17031	2985

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EXAMINER	
BLAND, LAYLA D	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/663,562	RAUTONEN ET AL.	
	Examiner	Art Unit	
	LAYLA BLAND	1623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 February 2010*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,5-13,16-20,24,26-28,30,32-35,37,38 and 40-54* is/are pending in the application.

4a) Of the above claim(s) *52-54* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,5-13,16-20,24,26-28,30,32-35,37,38 and 40-51* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *10/29/2009*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 9, 2010 has been entered.

This Office Action is in response to Applicant's request for continued examination (RCE) filed February 9, 2010, and amendment and response to the Final Office Action (mailed October 9, 2009), filed February 9, 2010, wherein claims 1, 30, and 38 are amended, claims 2-4, 14-15, 21-23, 25, 29, 31, 36, and 39 are canceled, and claims 45-54 are newly submitted.

Claims 1, 5-13, 16-20, 24, 26-28, 30, 32-35, 37, 38, and 40-54 are pending.

Newly submitted claims 52-54 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: the originally presented method claims and the newly submitted composition claims are related as product and process of use. The inventions can be shown to be distinct if either or both of the following can be shown: (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product. See MPEP § 806.05(h). In the instant case the composition as claimed can be used as a low-calorie confection or for treating constipation.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 52-54 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Claims 1, 5-13, 16-20, 24, 26-28, 30, 32-35, 37, 38, and 40-51 are examined on the merits herein.

The terminal disclaimer filed on October 4, 2007 disclaiming the terminal portion of any patent granted on this application 10/341,748 has been reviewed and is accepted. The terminal disclaimer has been recorded. The provisional rejection of claims 1, 5-13, 16-20, 24, 26-28, 30, 32-35, and 37-44 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 38-58 of copending Application No. 10/341,748 is withdrawn.

In view of the cancellation of claim 39, all rejections made with respect to that claim in the previous office action are withdrawn.

In view of Applicant's amendment submitted February 9, 2010, the rejection of claims 1, 5-13, 16-20, 24, 26-28, 30, 32-35, and 42 under 35 U.S.C. 112, first paragraph, for new matter with respect to the limitation "subject suffering from a disease or disorder caused by accumulation of lactic acid in the colon" is withdrawn. The limitation was removed from claim 1.

In view of Applicant's amendment submitted February 9, 2010, the rejection of claims 1, 5-13, 16-20, 24, 26-28, 30, 32-35, and 42 are rejected under 35 U.S.C. 112, second paragraph, for being indefinite with respect to "diseases or disorders caused by accumulation of lactic acid in the colon" is withdrawn. The limitation was removed from claim 1.

In view of Applicant's amendment submitted February 9, 2010, the rejection of claim 30 under 35 U.S.C. 112, second paragraph, for depending from a cancelled claim is withdrawn.

In view of Applicant's amendment submitted February 9, 2010, art rejections over Takemori in view of Swagerty are withdrawn. The rejection over Takemori in view of Swagerty was not applicable to the patient populations recited in claims 1 and 38.

In view of Applicant's amendment submitted February 9, 2010, the rejection of claims 38, 40, and 41 under 35 U.S.C. 102(b) as being anticipated by Solomons is withdrawn. The amended claims require a polyol, which is not taught by Solomons.

In view of Applicant's amendment submitted February 9, 2010, the rejection of claims 38, 40, and 41 under 35 U.S.C. 103(a) as being unpatentable over Jie is withdrawn. The amended claims require a polyol, which is not taught by Jie.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 5-13, 16-20, 24, 26-28, 30, 32-35, 37, and 42-46 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 is drawn to treatment of subjects selected from the group consisting of a young mammal at the age of weaning, a young mammal suffering from milk crust, a mammal treated with antibiotics, a mammal suffering from food allergy, an aged mammal, and a mammal with a short intestine. Claims 20 and 37 each depend from claim 1, but are drawn to treatment of different subjects. For example, claim 20 recites treatment of subjects which are already recited in claim 1, but also recites treatment of other subjects such as a mammal suffering from celiac disease or a mammal having sensitivity to lactose, which are not encompassed by claim 1. It is noted that Applicant's response dated February 9, 2010, page 14, says that claim 1 recites treatment of a mammal having sensitivity to lactose and a mammal suffering from celiac disease, but these are not actually recited in claim 1. Thus, it is unclear whether mammals suffering from celiac disease or having sensitivity to lactose are intended in either or both of claim 1 or claim 20. Likewise, claim 37 depends from claim 1 and recites treatment of a subject suffering from acidosis, osteoporosis, or diarrhea, which is not encompassed by claim 1.

Claim 16 depends from claim 14, which is cancelled. Thus, the scope of claim 16 is unclear. For the purposes of examination, claim 16 will be treated as if it depends from claim 1.

Claim 41 depends from claim 39, which is canceled. For the purposes of examination, claim 41 will be treated as if it depends from claim 1.

Claim 45 is drawn to treatment of a mammal with celiac disease and suffering from a disease or disorder caused by accumulation of lactic acid in the colon. The specification says that celiac disease is one disorder caused by accumulation of lactic acid in the colon, so it is unclear whether the intended subject has celiac disease only, or whether the mammal also has a separate unidentified disorder caused by accumulation of lactic acid in the colon. Applicant's response submitted February 9, 2010, page 13, states that celiac disease *causes* accumulation of lactic acid, which is contradictory to the specification, which says that lactic acid accumulation causes celiac disease. Thus, the scope of diseases caused by accumulation of lactic acid in the colon is unclear, and it is unclear if celiac disease is one of them, and whether the subject of claim 45 must be suffering from a disease other than celiac disease.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 5-13, 16-20, 27, 28, 30, 32-35, 38, 42 are rejected under 35 U.S.C. 102(b) as being anticipated by Livesey et al. (European Journal of Clinical Nutrition (1993) 47, 419-430).

Livesey teaches a method wherein adult humans aged 26, 30, 32, 39, and 46 [page 420, Subjects] were administered a chocolate bar comprising 5.1 g of polydextrose and 5.8 g of lactitol, which is about a 1:1 ratio. A marked positive interaction between polydextrose and lactitol was observed [page 423, first paragraph], which shows synergism. The specification does not define "aged." The ordinary meaning of "aged" is being of advanced age, old, or having reached maturity. Livesey's subjects are adults and are considered to be of advanced age and/or having reached maturity, and thus are "aged mammals." Livesey is silent regarding the effect of reduction of lactic acid accumulation in the colon and additionally other effects as recited in claims 5-13, but 5.1 g of polydextrose is within Applicant's range of effective amounts of polydextrose given on page 19 of the specification, so it is considered that an effective amount was given. Livesey is silent regarding the purification of polydextrose, but it is considered extremely likely that the polydextrose was purified since it was administered to subjects.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1, 5-13, 16-20, 24, 27-28, 30, 32-35, 37, 38, 40-44, and 47-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stahl et al. (CA 2340103A1, February 2, 2000) in view of Jie (Am J Clin Nutr 2000; 72:1503-9, PTO-1449 submitted November 17, 2003), Brokx et al. (WO 02/39832, May 23, 2002), Livesey et al. (European Journal of Clinical Nutrition (1993) 47, 419-430) and Beyer (Medical nutrition therapy for lower gastrointestinal tract disorders, in Mahan LK, Escott-Stump S (eds): Krause's Food, Nutrition and Diet Therapy (ed 10), Philadelphia, PA, WB Saunders, 2000, pp 667-694).

Stahl teaches dietetic foods containing of a mixture of carbohydrates, which remain undigested in the gastrointestinal tract and reach the large intestine without being resorbed, wherein the carbohydrates have prebiotic action [see abstract]. The carbohydrate mixture contains at least compounds A and B, which remain undigested in the gastrointestinal tract and reach the large intestine unresorbed, wherein A is a monosaccharide or oligosaccharide and B is a polysaccharide [pages 3-4]. A prebiotically active carbohydrate reaches the large intestine undigested and encourages the growth and/or activity of bacterial species in the intestine, and consequently

promotes health [page 6, lines 1-6, and claim 12]. Preferably, the carbohydrates are bifidogenous and/or promote lactic acid bacteria [page 7, lines 28-30, and claim 3]. Carbohydrates A and B should be of a different size and structure [page 8, lines 27-31] so that a synergistic effect may occur [page 9, lines 9-14]. The combination of carbohydrates is more efficient than only one carbohydrate [page 7, lines 17-26]. The carbohydrate mixtures are effective for stabilization of natural microflora, prevention of pathogenous substances/organisms, and acceleration of wound healing [page 8, lines 13-20], and treatment of symptoms/diseases occurring in conjunction with disturbed intestinal flora [page 8, lines 22-25]. Normal intestinal flora might not be present in babies or in subjects who have taken antibiotics [page 2, lines 15-19]. Compositions include baby formula, human milk fortifier, pharmaceuticals, and dietetic supplements [page 13, lines 1-6, and claim 12].

Stahl's teaching of suitable carbohydrates is broad and Stahl does not expressly teach polydextrose and lactitol as the two carbohydrates.

Jie teaches that polydextrose is not digested or absorbed in the small intestine and increases the growth of favorable microflora [page 1503, first full paragraph in second column], such as Lactobacillus and Bifidobacterium species [see abstract].

Brokx teaches that lactitol is a prebiotic which improves intestinal microflora [see abstract], particularly Lactobacilli and Bifidobacteria [page 1, lines 26-28]. As such, it can be used to treat intestinal infections, colon cancer, diarrhea, or for enhancing immunity [claim 7].

Livesey teaches that the hydrogen breath test is used to detect the fermentation of carbohydrates that escape absorption in the small intestine, and works by measuring hydrogen produced by large-bowel-anaerobic microorganisms in the presence of fermentable carbohydrate [page 419, first paragraph]. The combination of polydextrose and lactitol doubled the breath hydrogen anticipated from their individual contributions, showing a positive interaction [see abstract].

Bayer teaches that prebiotics or fermentable sugars can be used to treat diarrhea [page 710, first paragraph in the second column], lactose intolerance [page 720, second paragraph in the second column], inflammatory bowel disease [page 724, second paragraph], and pouchitis, which is an inflammatory condition related to bacterial overgrowth [page 735, first paragraph].

It would have been obvious to one of ordinary skill in the art to administer polydextrose and lactitol to a subject in need of improved bowel health or restoration of natural microflora. Stahl teaches that mixtures of prebiotic carbohydrates are useful for improving health, stabilization of natural microflora, prevention of pathogenous substances/organisms, and acceleration of wound healing. Although Stahl does not specifically teach polydextrose and lactitol as the two carbohydrates, polydextrose and lactitol are known to cause the growth of Lactobacillus and Bifidobacterium, which is a preferred characteristic of Stahl's carbohydrates. Furthermore, the skilled artisan would choose the particular combination of polydextrose and lactitol because of the synergistic effect taught by Livesey. Specifically, subjects with disturbed intestinal flora, babies, and subjects who have taken antibiotics can benefit from prebiotics (Stahl), and

diarrhea, lactose intolerance, inflammatory bowel disease, and pouchitis can be treated using prebiotics (Bayer). Thus, it would have been obvious to administer prebiotics to any of those subjects, and particularly the prebiotic combination of polydextrose and lactitol because the combination has a synergistic effect. It would have been further obvious to use purified polydextrose to avoid ingestion of potentially harmful impurities.

Claims 1, 5-13, 16-20, 24, 27-28, 30, 32-35, 37, 38, and 40-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stahl et al. (CA 2340103A1, February 2, 2000) in view of Jie (Am J Clin Nutr 2000; 72:1503-9, PTO-1449 submitted November 17, 2003), Brokx et al. (WO 02/39832, May 23, 2002), Livesey et al. (European Journal of Clinical Nutrition (1993) 47, 419-430) and Borody (US 5,443,826, August 22, 1995)

Stahl teaches dietetic foods containing of a mixture of carbohydrates, which remain undigested in the gastrointestinal tract and reach the large intestine without being resorbed, wherein the carbohydrates have prebiotic action [see abstract]. The carbohydrate mixture contains at least compounds A and B, which remain undigested in the gastrointestinal tract and reach the large intestine unresorbed, wherein A is a monosaccharide or oligosaccharide and B is a polysaccharide [pages 3-4]. A prebiotically active carbohydrate reaches the large intestine indigested and encourages the growth and/or activity of bacterial species in the intestine, and consequently promotes health [page 6, lines 1-6, and claim 12]. Preferably, the carbohydrates are bifidogenous and/or promote lactic acid bacteria [page 7, lines 28-30, and claim 3]. Carbohydrates A and B should be of a different size and structure [page 8, lines 27-31]

so that a synergistic effect may occur [page 9, lines 9-14]. The combination of carbohydrates is more efficient than only one carbohydrate [page 7, lines 17-26]. The carbohydrate mixtures are effective for stabilization of natural microflora, prevention of pathogenous substances/organisms, and acceleration of wound healing [page 8, lines 13-20], and treatment of symptoms/diseases occurring in conjunction with disturbed intestinal flora [page 8, lines 22-25]. Normal intestinal flora might not be present in babies or in subjects who have taken antibiotics [page 2, lines 15-19]. Compositions include baby formula, human milk fortifier, pharmaceuticals, and dietetic supplements [page 13, lines 1-6, and claim 12].

Stahl's teaching of suitable carbohydrates is broad, Stahl does not expressly teach polydextrose and lactitol, and Stahl does not teach treatment of a subject suffering from celiac disease.

Jie teaches that polydextrose is not digested or absorbed in the small intestine and leads to the growth of favorable microflora [page 1503, first full paragraph in second column], and causes Lactobacillus and Bifidobacterium species to increase [see abstract].

Brokx teaches that lactitol is a prebiotic which improves intestinal microflora [see abstract], particularly Lactobacilli and Bifidobacteria [page 1, lines 26-28]. As such, it can be used to treat intestinal infections, colon cancer, diarrhea, or for enhancing immunity [claim 7].

Livesey teaches that the hydrogen breath test is used to detect the fermentation of carbohydrates that escape absorption in the small intestine, and works by measuring

hydrogen produced by large-bowel-anaerobic microorganisms in the presence of fermentable carbohydrate [page 419, first paragraph]. The combination of polydextrose and lactitol doubled the breath hydrogen anticipated from their individual contributions, showing a positive interaction [see abstract].

Borody teaches that disorders associated with abnormal microflora or an abnormal distribution of microflora in the gastrointestinal tract can be treated by restoring normal healthy flora [see abstract]. Celiac disease, inflammatory bowel disease, antibiotic associated colitis, irritable bowel syndrome, and small bowel bacterial overgrowth are examples of such disorders [column 3, lines 25-34].

It would have been obvious to one of ordinary skill in the art to administer polydextrose and lactitol to a subject in need of improved bowel health or restoration of natural microflora. Stahl teaches that mixtures of prebiotic carbohydrates are useful for treating subjects which have disturbed intestinal flora. Although Stahl does not specifically teach polydextrose and lactitol as the two carbohydrates, polydextrose and lactitol are known to cause the growth of Lactobacillus and Bifidobacterium, which is a preferred characteristic of Stahl's carbohydrate mixture. Furthermore, the skilled artisan would choose the particular combination of polydextrose and lactitol because of the synergistic effect taught by Livesey. Specifically, subjects with disturbed intestinal flora which may be treated by restoration of normal flora include patients having celiac disease, inflammation, and antibiotic associated colitis, as taught by Borody. Thus, it would have been obvious to administer prebiotics to any of those subjects, and particularly the prebiotic combination of polydextrose and lactitol because the

combination has a synergistic effect. It would have been further obvious to use purified polydextrose to avoid ingestion of potentially harmful impurities.

Claims 26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Livesey et al. (European Journal of Clinical Nutrition (1993) 47, 419-430) in view of Borden et al. (US 5,601,863, February 11, 1997, of record).

Livesey teaches administration of polydextrose, as set forth above, but does not teach the use of hydrogenated polydextrose.

Borden teaches that polydextrose and hydrogenated polydextrose are both enzyme-resistant and functional equivalents as food additives [columns 1-2 and paragraph bridging columns 6-7].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute hydrogenated polydextrose for polydextrose in the above described method. Hydrogenated polydextrose is known as a functional equivalent of polydextrose, having improved properties such as color and flavor. Thus, the skilled artisan would expect that an improvement in color and flavor using hydrogenated polydextrose.

Claims 26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stahl in view of Jie, Brokx, Livesey and Beyer as applied to claims 1, 5-13, 16-20, 24, 27-28, 30-35, 37, 38, 40-44, and 47-51 above, and further in view of Borden et al. (US 5,601,863, February 11, 1997, of record).

Jie and Livesey teach the use of polydextrose, as set forth above, but do not teach the use of hydrogenated polydextrose.

Borden teaches that polydextrose and hydrogenated polydextrose are both enzyme-resistant and functional equivalents as food additives [columns 1-2 and paragraph bridging columns 6-7].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute hydrogenated polydextrose for polydextrose in the above described method. Hydrogenated polydextrose is known as a functional equivalent of polydextrose, having improved properties such as color and flavor. Thus, the skilled artisan would expect that an improvement in color and flavor using hydrogenated polydextrose.

Claims 26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stahl in view of Jie, Brokx, Livesey and Borody as applied to claims 1, 5-13, 16-20, 24, 27-28, 30-35, 37, 38, and 40-51 above, and further in view of Borden et al. (US 5,601,863, February 11, 1997, of record).

Jie and Livesey teach the use of polydextrose, as set forth above, but do not teach the use of hydrogenated polydextrose.

Borden teaches that polydextrose and hydrogenated polydextrose are both enzyme-resistant and functional equivalents as food additives [columns 1-2 and paragraph bridging columns 6-7].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute hydrogenated polydextrose for polydextrose in the above described method. Hydrogenated polydextrose is known as a functional equivalent of polydextrose, having improved properties such as color and flavor. Thus, the skilled artisan would expect that an improvement in color and flavor using hydrogenated polydextrose.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

No claims are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAYLA BLAND whose telephone number is (571)272-9572. The examiner can normally be reached on Monday - Friday, 7:00 - 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anna Jiang can be reached on (571) 272-0627. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Layla Bland/
Examiner, Art Unit 1623